



November 16, 2004

**Office of Initial Patent Examination
Filing Receipt Corrections**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Application No. 10/741,534
Filed: December 19, 2003
Title: **Compositions for the Treatment and Prevention of
Nephropathy**
Inventors: Alain BARON *et al.*
Atty. Docket: 18528.675 / 0218-UTL-9

Sir:

The following documents are submitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. a Request for Corrected Official Filing Receipt;
2. a copy of the Updated Filing Receipt with corrections indicated in red;
3. copies of Combined Declarations and Powers of Attorney for Patent Application executed by inventors Alain Baron, David R. Hathaway, Mahesh Mistry and Richard J. Roman previously submitted on June 21, 2004;
4. a copy of a Preliminary Amendment previously submitted on June 21, 2004; and
5. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

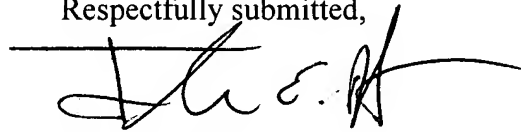
Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit

ARNOLD & PORTER LLP

Commissioner for Patents
Atty. Docket: 18528.675 / 0218-UTL-9
Appln. No. 10/741,534
Page 2

Account No. 50-2387, referencing matter number 18528.675. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. Marsh", with a horizontal line drawn through the middle of the signature.

David R. Marsh (Reg. No. 41,408)
Milan M. Vinnola (Reg. No. 45,979)
Thomas E. Holsten (Reg. No. 46,098)

Attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

Alain BARON *et al.*

Art Unit: 1614

Application No.: 10/741,534

Atty. Docket No.: 18528.675

Filed: December 19, 2003

Confirmation No.: 5134

For: **Compositions for the Treatment and
Prevention of Nephropathy**

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

**Office of Initial Patent Examination
Filing Receipt Corrections**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a copy of the official filing receipt from the United States Patent and Trademark Office for the above-referenced application for which issuance of a corrected filing receipt is respectfully requested. There is an error with respect to the priority data.

Please make the following corrections to the section entitled "Domestic Priority data as claimed by applicant". A marked-up version of the Official Filing Receipt is attached.

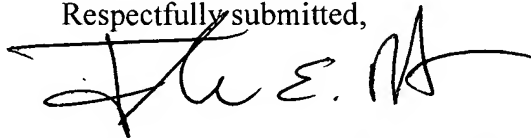
**" This appln claims benefit of 10/740,146 12/17/2003
which claims benefit of 60/434,508 12/17/2002
and claims benefit of 60/434,888 filed 12/19/2002"**

In support of this correction, enclosed are copies of the Combined Declarations and Powers of Attorney for Patent Application executed by inventors Alain Baron, David R.

Hathaway, Mahesh Mistry, and Richard J. Roman that were filed with the U.S. Patent and Trademark Office on June 21, 2004. These Declarations list Provisional Application Serial Nos. 60/434,508, 60/434,888, and Non-Provisional Application Serial No. 10/740,146 for purposes of priority. In further support, enclosed is a copy of the Preliminary Amendment filed June 21, 2004 to update the cross-reference to related applications.

Applicants believe that no fee is due. However, if any charges are deemed appropriate, authorization to charge such fees is given in the accompanying transmittal letter.

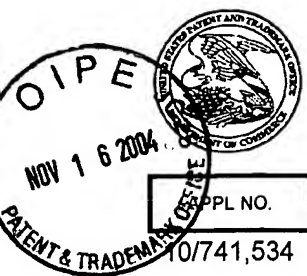
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David R. Marsh (Reg. No. 41,408)
Milan M. Vinnola (Reg. No. 45,979)
Thomas E. Holsten (Reg. No. 46,098)

Date: November 16, 2004

ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
(202) 942-5000 telephone
(202) 942-5999 facsimile



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/741,534	12/19/2003	1614	1540	18528.675 / 0218-UTL-9	4	46	5

CONFIRMATION NO. 5134

UPDATED FILING RECEIPT



OC000000013198667

28381
 ARNOLD & PORTER LLP
 ATTN: IP DOCKETING DEPT.
 555 TWELFTH STREET, N.W.
 WASHINGTON, DC 20004-1206

Date Mailed: 07/12/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Alain Baron, San Diego, CA;
 David R. Hathaway, Lincoln, NE;
 Mahesh Mistry, Pepperell, MA;
 Richard J. Roman, Brookfield, WI;

Domestic Priority data as claimed by applicant

10/740,146 12/17/2003
 This appln claims benefit of ~~60/434,888 12/19/2002~~

which claims benefit of 60/434,888 12/17/2002

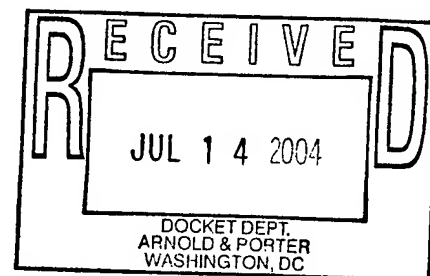
Foreign Applications *and claims benefit of 60/434,888.*

If Required, Foreign Filing License Granted: 03/31/2004

Projected Publication Date: 10/21/2004

Non-Publication Request: No

Early Publication Request: No



Title

Compositions for the treatment and prevention of nephropathy

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Combined Declaration and Power of Attorney for Patent Application

Docket Number: 18528.675

I, the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Compositions for the Treatment and Prevention of Nephropathy**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on December 19, 2003;
as United States Application Number 10/741,534; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/434,508
(Application No.)

December 17, 2002
(Filing Date)

60/434,888
(Application No.)

December 19, 2002
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>10/740,146</u> (Application No.)	<u>December 17, 2003</u> (Filing Date)	<u>Pending</u> (Status - patented, pending, abandoned)
<u> </u> (Application No.)	<u> </u> (Filing Date)	<u> </u> (Status - patented, pending, abandoned)
<u> </u> (Application No.)	<u> </u> (Filing Date)	<u> </u> (Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

practitioners at Arnold & Porter LLP, Customer No. 28381;

and

Holman, Molly A., Reg. No. 40,022
Butler, James E., Reg. No. 40,931

Kim, Mi, Reg. No. 44,830
Moore, Joanna, Reg. No. 44,950

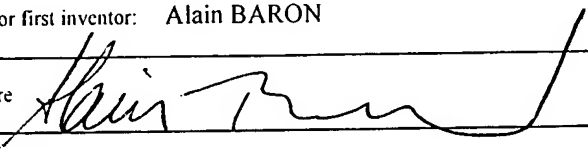
All of Amylin Pharmaceuticals, Inc.

Send Correspondence to:

David R. Marsh
ARNOLD & PORTER LLP
Attn: IP Docketing Dept.
555 12th Street, N.W.
Washington, D.C. 20004-1206
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Alain BARON	
Inventor's signature 	Date 09 June 04
Residence San Diego, California	
Citizenship United States of America	
Post Office Address 12863 Baywind Point	
San Diego, California 92130	
Full name of second inventor: David R. HATHAWAY	
Inventor's signature	Date
Residence Lincoln, Nebraska	
Citizenship United States of America	
Post Office Address 6201 Oaks Hollow Road	
Lincoln, Nebraska 68516	
Full name of third inventor: Mahesh MISTRY	
Inventor's signature	Date
Residence Pepperell, Massachusetts	
Citizenship United States of America	
Post Office Address 31 Prospect Street	
Pepperell, Massachusetts 01463	

Full name of fourth inventor: Richard J. ROMAN	
Inventor's signature	Date
Residence	Brookfield, Wisconsin
Citizenship	United States of America
Post Office Address	3270 Dartmouth Drive
	Brookfield, Wisconsin 53005
Full name of fifth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	
Full name of sixth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	

Combined Declaration and Power of Attorney for Patent Application

Docket Number: 18528.675

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Compositions for the Treatment and Prevention of Nephropathy**, the specification of which is attached hereto unless the following box is checked:

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Prior Foreign Application(s)			Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/434,508</u>	<u>December 17, 2002</u>
(Application No.)	(Filing Date)
<u>60/434,888</u>	<u>December 19, 2002</u>
(Application No.)	(Filing Date)

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10/740,146
(Application No.)

December 17, 2003
(Filing Date)

Pending
(Status - patented, pending, abandoned)

(Application No.)

(Filing Date)

(Status - patented, pending, abandoned)

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All of Amylin Pharmaceuticals, Inc.

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Inventor's signature	Date
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Combined Declaration and Power of Attorney for Patent Application

Docket Number: 18528.675

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(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

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Post Office Address	3270 Dartmouth Drive
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Full name of fifth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	
Full name of sixth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	

COPY



Combined Declaration and Power of Attorney for Patent Application

Docket Number: 18528.675

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Prior Foreign Application(s)

Priority Claimed

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(Application No.)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

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(Application No.)

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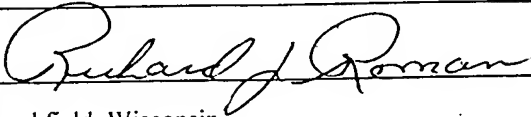
Send Correspondence to:

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Attn: IP Docketing Dept.
555 12th Street, N.W.
Washington, D.C. 20004-1206
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Alain BARON	
Inventor's signature	Date
Residence	San Diego, California
Citizenship	United States of America
Post Office Address	12863 Baywind Point
San Diego, California 92130	
Full name of second inventor: David R. HATHAWAY	
Inventor's signature	Date
Residence	Lincoln, Nebraska
Citizenship	United States of America
Post Office Address	6201 Oaks Hollow Road
Lincoln, Nebraska 68516	
Full name of third inventor: Mahesh MISTRY	
Inventor's signature	Date
Residence	Pepperell, Massachusetts
Citizenship	United States of America
Post Office Address	31 Prospect Street
Pepperell, Massachusetts 01463	

Full name of fourth inventor: Richard J. ROMAN	
Inventor's signature	 Date 5/31/04
Residence	Brookfield, Wisconsin
Citizenship	United States of America
Post Office Address	3270 Dartmouth Drive
	Brookfield, Wisconsin 53005
Full name of fifth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	
Full name of sixth inventor:	
Inventor's signature	Date
Residence	
Citizenship	United States of America
Post Office Address	

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alain BARON *et al.*

Appln. No.: 10/741,534

Filed: December 19, 2003

For: **Compositions for the Treatment and
Prevention of Nephropathy**

Art Unit: 1614

Atty. Docket: 18528.675/ 0218-UTL-9

Confirm. No.: 5134

Preliminary Amendment

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, please enter the following amendment.

Amendments

In the specification:

On page 1 of the specification, please **replace** the section entitled "CROSS REFERENCE TO RELATED APPLICATIONS" with the following **amended** paragraph:

CROSS REFERENCE TO RELATED APPLICATIONS

This application claims the benefit of priority to U.S. Serial No. 10/740,146 [[_____]], entitled "Prevention and Treatment of Cardiac Arrhythmias," filed December 17, 2003, which claims priority to U.S. Provisional Application No. 60/434,508, filed December 17, 2002; and U.S. Provisional Application No. 60/434,888, filed December 19, 2002, all of which are incorporated herein by reference in their entirety.

On page 1 of the specification, please **insert** the following paragraph before the heading "FIELD OF THE INVENTION":

INCORPORATION OF SEQUENCE LISTING

A paper copy of the Sequence Listing and a computer readable form of the sequence listing on diskette, containing the file named 18528.675.seqlist.txt, which is 34,038 bytes in size (measured in MS-DOS), recorded and filed on June 21, 2004, are hereby incorporated by reference.

Remarks

By this Preliminary Amendment, the specification has been amended to update the cross reference to related applications by providing the application number of the first mentioned U.S. application. Further, the specification has been amended to provide the reference to the Sequence Listing. No new matter has been entered by this amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. Marsh", with a horizontal line drawn above it.

David R. Marsh (Reg. No. 41,408)

Milan M. Vinnola (Reg. No. 45,979)

Thomas E. Holsten (Reg. No. 46,098)

Date: June 21, 2004

ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
(202) 942-5000 telephone
(202) 942-5999 facsimile